

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO,

Plaintiff,

vs.

TINY LAB PRODUCTIONS, et al.,

Defendants.

No. 1:18-cv-00854-MV-JFR

ORDER FINDING GOOD CAUSE TO STAY SCHEDULING ORDER DEADLINES

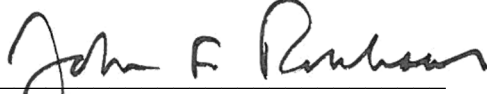
This matter is before the Court on the parties' joint motion to stay this action (Doc. 140) filed 10/6/2021. As good cause for their request, the parties represent that they have reached a tentative resolution, and are working on finalizing the same and subsequently entering a stipulation of dismissal with the Court. The parties requested that the Court stay proceedings and deadlines in this action for a period of thirty (30) days, at which time they will either file a stipulation of dismissal or a joint status report to update the Court on their progress.

This Court does not have the power to stay the entire action as the parties request; however, based on good cause shown, it will stay the scheduling order deadlines for 30 days. The Court notes that a scheduling order and Rule 16 scheduling conference in this case was first delayed on May 4, 2020. Doc. 89. The scheduling conference later took place on October 2, 2020. Doc. 108. A settlement conference was set for April 23, 2021 (Doc. 119), but was later vacated on March 5, 2021 at the parties' request. At that time, the parties were pursuing outside, private mediation. Doc. 132. New scheduling order deadlines were established on May 27, 2021 when settlement did not occur through private mediation. Doc. 136. Then, on August 18, 2021, the parties jointly requested a stay of those revised scheduling order deadlines based on

their representation regarding renewed settlement efforts. Docs. 138-39. This Order is, therefore, an extension of the Court's prior ruling that permitted the parties time to finalize their settlement terms if possible, or to approach the Court for another scheduling order to permit the case to proceed to trial.

Having considered the motion and representations therein, the Court finds that a 30-day continuation of the discovery stay is warranted. The parties shall notify the Court of any final settlement reached in this case by Friday, November 5, 2021. If final settlement terms are not reached, the parties shall submit a Joint Status Report by that date setting forth the parameters of any remaining discovery that is needed to proceed in the case.

IT IS SO ORDERED.



JOHN F. ROBBENHAAR
United States Magistrate Judge